REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-26 are currently pending in this application, of which claims 1, 11 and 17 are independent claims and the rest dependent. Claims 1, 11 and 17 are currently amended.

SUMMARY OF EXAMINER INTERVIEW

Initially, Applicant wishes to thank Examiner Kelleher for his time at the interview of May 25, 2010, the contents of which are summarized below.

The interview was conducted over telephone between the Examiner and Applicant's Representative. The Final rejection mailed January 26, 2010 was discussed during the interview. The various features of the claims and how these features differentiate the claimed invention from the prior art were discussed during the interview. For example, it was discussed that glue cannot be applied to the mattress of Meutsch and that the Examiner's position is incorrect.

The present response is based on the discussion conducted during the interview.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-3, 5, 11-13, and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 1,455,847 to Meutsch ("Meutsch"). Applicant respectfully traverses this rejection for the reasons detailed below.

In the Office Action, the Examiner has maintained his rejection with respect to independent claim 1. Particularly, the Examiner alleges that the lacing strip 17 of FIG. 3 of Meutsch is a "surface attachment" which keeps abutting surfaces of each of Meutsch's strings of springs together.

However, as explicitly mentioned, the lacing strip 17 of FIG. 3 of Meutsch is a fabric strip that maintains the springs in their pockets 10 in an upright position. See, Meutsch col. 5, lines 14-16. The lacing strip 17 is not a "surface attachment **between** abutting surfaces in adjacent strings [of the coil springs]," as required by independent claim 1.

The Examiner asserts on Page 7 of the Office Action that, if "abutting surfaces" of claim 1 means two different surfaces, one on each string, that meet at the same point, a reasonable rejection could be made based on the teachings of Stumpf (US 4,578,834). Particularly, the Examiner alleges that Stumpf teaches securing adjacent strings by lines 22 of adhesive (allegedly a "surface attachment") provided on the external tangential surfaces of the spring pockets 16. As such, the Examiner alleges that Meutsch can be modified with the teachings of Stumpf to arrive at the claimed subject matter.

Applicants respectfully disagree with the Examiner's reasoning. One of the primary objectives of the Meutsch invention is to provide a mattress that can be delivered in a disassembled form, wherein the springs and pockets are separately shipped and assembled at their destination. It is also the objective of Meutsch to ensure that such an assembly does not require specialized skills and can be performed by a person of ordinary skills. It is also the objective of Meutsch to provide a mattress, wherein the coil springs can be permanently inserted in their operative position in the pockets, the coil springs may not be accidently detached from their operative position, and may be easily removed from their operative position for substituting them with other springs in case of injury (failure) to the springs. All these aforementioned objectives do not require specialized skills and can be performed by a person of ordinary skills. See, Meutsch, Page 1, lines 65-75.

For easy of assembly and disassembly of the mattress, for example, when inserting the coil springs in the pockets and removing the coils springs from the

pockets, respectively, the Meutsch mattress includes open slits 13 on the pockets of the strip of fabric. See, Meutsch, FIGS. 2-3. For ease of inserting/removing the coil springs 12 these open slits 13 would be required to be centrally located on the pockets for the strip of fabric. Stumpf, on the other hand, teaches securing adjacent strings by lines 22 of adhesive (allegedly a "surface attachment") provided on the external tangential surfaces of the spring pockets 16. See, Stumpf, col. 2, lines 63-65.

Modifying Meutsch with the teaching of Stumpf would require applying lines of adhesive on the external tangential surfaces of the spring pockets of Meutsch. For a spring pocket surface to be tangential, it has to be centrally located. However, the central location of spring pockets of Meutsch includes the open slits 13. As such, it is not possible to apply any adhesive on the tangential surface of the spring pocket of Meutsch as taught by Stumpf.

Further, modifying the Meutsch mattress with the teachings of Stumpf would totally contradict the objectives of Meutsch and would also contradict the purpose of having the slits 13 and slots 16 in the Meutsch mattress. Still further, if assuming *arguendo* that an adhesive is used to secure the adjacent strings, then there would be no purpose/requirement of including the lacing fabric 17 to secure the coil springs of the Meutsch mattress as illustrated in FIGS. 4-6. Also, there would absolutely be no requirement of including the slots 16. The whole purpose of providing the slots is to allow the lacing 17 to be introduced through the strings to hold the springs tightly. Applying adhesive to secure the springs would not hold the springs closely together, resulting in a mattress that is not dense. Meutsch objective is to provide a dense mattress.

It is further alleged in the Office Action at page 2 that the slot 16 of Meutsch "[allows] an increased interjacent separation distance to be formed between said adjacent coil springs," as recited in independent claim 1.

As mentioned above, in Meutsch lacing strips 17 (18, 26, 28) pass through slots 16 to closely hold the springs together. Holding the springs in such a close/tight manner prevents forces directly compressing any one or more of the springs from being transmitted to and tilting other springs. The lacing fabric 17 through the slots 16 maintains the springs in their pockets in an upright position and against these forces that act laterally to the springs, tending to distort the shape of the construction in which they are used. See, Meutsch, Page 3, lines 5-18.

As such, the slots 16 (allegedly, "slits" of claim 1) do not and cannot "[allow] an increased interjacent separation distance to be formed between said adjacent coil springs." The slots 16 are solely for the purpose of passing the lacing that closely/tightly holds the coil springs to create a dense mattress. Applicant respectfully submits that using an adhesive to secure the adjacent strings will not result in a close/tight mattress and will not prevent forces directly compressing any one or more of the springs from being transmitted to and tilting other springs. As such, using an adhesive to interconnect the springs of Meutsch will be against the objectives set forth by Meutsch.

Applicant respectfully submits that the mattress according to example embodiments is manufactured in a more cost-effective manner, requires less material and is easy to produce. On the other hand, the Meutsch mattress is a very dense mattress, and which requires a very tedious and cumbersome assembly process.

The example mattress and its method provides a more cost-efficient mattress by allowing the springs to be separated from each other, but still being effectively held together. This is provided by use of less material than in prior solutions to make such separations, and therefore enables a more cost-efficient mattress. Further, the mattress according to example embodiments avoids the problem of so-called "false lofts", which is experienced in the prior art solutions. Still further, the

mattress according to example embodiments enables a very efficient air circulation through the mattress. Neither of the cited documents provide any similar solution to these problems, or, for most of the documents, address these questions.

For at least all these reasons, Applicant submits Meutsch fails to teach or fairly suggest any "surface attachment" and that modifying the teaching of Meutsch with the teachings of Stumpf will not result in the claimed invention. Stated otherwise, the alleged combination of Meutsch and Stumpf fails to render the claims obvious.

Meutsch fails to anticipate each and every limitation of claims 1 and the somewhat similar limitations of claims 11. Claims 2-3, 5, 12-13 and 15, dependent on one of independent claims 1 and 11, are also allowable at least for the reasons given above with respect to claims 1 and 11 and also on their own merits.

Applicant, therefore, respectfully requests that the rejection to claims 1-3, 5, 11-13 and 15 under 35 U.S.C. § 102(b) be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 4, 7-10, 16 and 24-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Meutsch. Applicant respectfully traverses this rejection for the reasons detailed below.

Claims 4, 7-10, 16 and 24-26 are dependent on one of independent claims 1 and 11 and claims 1 and 11 have been shown to be patentable at least for the reasons above. Claims 4, 7-10, 16 and 24-26 are also patentable at least by virtue of their dependency on one of independent claims 1 and 11.

Applicant, therefore, respectfully requests that the rejection to claims 4, 7-10, 16 and 24-26 under 35 U.S.C. §103(a) be withdrawn.

Claims 6 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Meutsch in view of U.S. Patent 4,578,834 to Stumpf ("Stumpf-834"). Applicant respectfully traverses this rejection for the reasons detailed below.

Applicant respectfully incorporates the discussion above with respect to the rejection of independent claim 1 and submit that for the reasons given above the alleged combination of Meutsch and Stumpf-834 fails to render the limitations of claims 6 and 14 obvious to one of ordinary skills in the art.

Further Applicant submits, claims 6 and 14 are dependent on one of independent claims 1 and 11 and claims 1 and 11 have been shown to be patentable at least for the reasons above. Claims 6 and 14 are also patentable at least by virtue of their dependency on one of independent claims 1 and 11.

Applicant, therefore, respectfully requests that the rejection to claims 6 and 14 under 35 U.S.C. §103(a) be withdrawn.

Claims 17-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over US 4,986,518 to Stumpf ("Stumpf-518") in view of Meutsch and Stumpf-834. Applicant respectfully traverses this rejection for the reasons detailed below.

The Examiner acknowledges that Meutsch and Stumpf-518 do not teach any "surface attachment." However, the Examiner alleges that Stumpf-834 gives motivation to add a surface attachment between abutting surfaces. Applicant respectfully incorporates the discussion above with respect to claim 1 and submits that Meutsch cannot be modified with the teachings of Stumpf-834 to include any "surface attachment."

The Examiner acknowledges that Stumpf-518 does not disclose means for creating a slit. The Examiner alleges that Meutsch discloses a slit between springs and that "*One of ordinary skill in the art would have recognized that slits (and the associated machinery needed to create them) such as Meutsch's could be added to*

the apparatus of Stump ('518) to provide Stumpf with the predictable established function of the slits (which is to allow the springs to flex in relation to one another or to allow a stiffener such as 17 of Meutsch to be added)." (Emphasis Added)

Applicant respectfully incorporates the discussion above with respect to claim 1 and submits that the slits of Meutsch are not configured to create an "increased interjacent separation distance to be formed between adjacent coils springs." The slits of Meutsch are solely for passing the lacing 17 that closely holds the coil springs of Meutsch, thereby creating a dense mattress. The allegedly "predictable established function of the slits" is far from obvious. In Meutsch, the only contribution provided by the slits is that they allow the lacing to be arranged within and around the mattress. Further, no specific functionality of the slits is at all discussed in Meutsch (apart from allowing the lacing).

For at least all these reasons, Stumpf-518, Stumpf-834 and Meutsch, alone or in combination, fail to render the limitations of claims 17 obvious to one of ordinary skills in the art. Claims 18-23, dependent on independent claim 17, are also allowable at least for the reasons given above with respect to claim 17 and also on their own merits.

Applicant, therefore, respectfully requests that the rejection to claims 17-23 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicant respectfully submits that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested.

Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicant hereby petitions for a three (3) months extension of time for filing a reply to the outstanding Office Action and submit the required small entity of $555.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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